

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 16, 2001

DIVISION TWO

B142159 People (Not for Publication)
v.
Phillipe A. Mimnaugh

The superior court is directed to amend the abstract of judgment in case number PA031090 and in case number PA031239 to reflect accurately the sentences imposed by the court, correcting each abstract respectively as follows: (1) in case number PA031090 add that appellant pay a \$400 fine to the restitution fund pursuant to Penal Code section 1202.4, a \$400 parole restitution fine pursuant to Penal Code section 1202.45, stayed pending successful completion of parole, and a \$50 laboratory fee pursuant to Health and Safety Code section 11372.5 plus the penalty assessments required by Penal Code section 1464 and Government Code 76000, and (2) in case number PA031239 delete the two-year term for count "1N" and add that appellant serve a consecutive two-year term in state prison pursuant to penal Code section 12022.1 and that appellant pay a \$800 fine to the restitution fund pursuant to Penal Code section 1202.4, a \$800 parole restitution fine pursuant to penal Code section 1202.45, stayed pending successful completion of parole, and as to each count (counts 1,2, and 5) a \$50 laboratory fee pursuant to Health and Safety Code section 11372.5 plus the penalty assessments required by penal Code section 1464 and Government Code 76000. In all other respects, the judgments are affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

April 16, 2001-Continued

DIVISION TWO (Continued)

B138859 People (Not for Publication)
v.
Robert Thomas Ellis

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

B140269 Fredric N. Richman (Not for Publication)
v.
Irwin Buter et al.

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION FOUR

B142121 People (Not for Publication)
v.
Silva

The judgment as to counts 4 and 5 is reversed. With respect to all other counts, the judgment is affirmed. We remand the case for resentencing consistent with this opinion.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

April 16, 2001-Continued

DIVISION FOUR (Continued)

B137877 Seo et al. (Not for Publication)
v.
City of Santa Monica et al.

The judgment is affirmed. Respondents shall have their costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

[illegible]

For the foregoing reasons, the judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FIVE

B137271 Judith Shlosbeg (Not for Publication)
 v.
 The Parklane Group

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Willhite, J. (Assigned)

B140882 People
 v.
 Ricardo Olvera

Filed order denying petition for rehearing.

B123376 Barbara Kalustian
 v.
 Foundation Health

Filed order denying petition for rehearing.

B140900 People (Not for Publication)
 v.
 Jose Luis Rivera

The \$200 parole revocation restitution fine is vacated. The clerk of the superior court is directed to modify the abstract of judgment and forward a modified abstract to the Department. In all other respects, the judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

April 16, 2001-Continued

DIVISION SIX

B143071 People (Not for Publication)
v.
Beck

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B138465 People
v.
Leon

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B141333 People (Not for Publication)
v.
Casanova

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

April 16, 2001-Continued

DIVISION SIX (Continued)

B142373 People (Not for Publication)
v.
Gilmore

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B143004 Bashkin
v.
Blase

Petition for rehearing is denied.

B144907 People (Not for Publication)
v.
Aldana

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B140437 People (Not for Publication)
v.
Banuelos

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

April 16, 2001-Continued

DIVISION SIX (Continued)

B144279 People (Not for Publication)
v.
Farris

The judgment is modified to give appellant 11 additional days of conduct credit, and to impose and stay a parole revocation fine of \$200. The trial court is directed to amend the abstract of judgment accordingly and to forward a copy to the Department of Corrections. As modified, the judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

[illegible]

The judgment is affirmed. Costs are awarded to respondents.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B138892 Green & Shinee (Certified for Publication)
v.
Los Angeles County Superior Court
The People

We treat the purported appeal as a petition for writ of mandate. The petition for writ of mandate is denied. The parties shall bear their own costs.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B139943 People (Certified for Partial Publication)
v.
Johnson

Appellant's conviction for continuous sexual abuse, Penal Code section 288.5 (Count 1) is affirmed. Appellant's convictions on four counts of forcible lewd acts upon a child, Penal Code section 288 (Counts 2-3 & 5-6) and one count of sodomy, Penal Code section 286 (Count 4) are hereby reversed and ordered stricken. The Clerk of the Superior Court shall prepare and send to the Department of Corrections a corrected abstract of judgment in accordance with this disposition.

Woods, J.

We concur: Johnson, Acting P.J.
Boland, J. (Assigned)

B139853 People (Not for Publication)
v.
Scoular, Jr.,

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B141267 People (Not for Publication)
v.
Andreasen

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

DIVISION SEVEN (Continued)

B147320 James A. and Teri A. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Los Angeles County Dept. of Children & Family Services et al., r.p.i.)

Petition denied by opinion.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

B140586 American Savings and Loan Association (Not for Publication)
 v.
 Eliseo S. Frescas III

The portion of the order dismissing the action as barred by the statute of limitations is reversed with directions to proceed on appellant's request for entry of a default judgment. Appellant to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.
 Boland, J. (Assigned)

B141646 Jeanette Goudy (Not for Publication)
 v.
 Los Angeles County Metropolitan Transportation Authority

The judgment is affirmed. The respondent is entitled to costs on appeal.

Woods, J.

We concur: Lillie, P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B142171 Jennifer Carlson (Not for Publication)
 v.
 City of Los Angeles et al.

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Johnson, Acting P.J.
 Boland, J. (Assigned)